

1869-007 Chancery Cause: John Roberts for & vs. Daniel Roberts
Lee Co.

Levacy

CA-Debt
T-Property

To the worshipful County Court of Lee County
in chancery now sitting -
Your orator, John Roberts, who sues for the
benefit of William W. Levey, humbly complaining
sheweth unto your worship, that on the 5th
day of February 1869, your orator, obtained a
Judgement against one Daniel ^{Roberts}, for the sum of
\$30. and \$1.70 then adjudged as his costs, said
judgement was executed by Stokes Lawson
then an acting justice of the peace for said
County. Upon this judgement, the said
justice, issued, a fieri facias, directed
to Wm. McPherson constable of said
County, ~~into~~ whose hands the said execution
was placed, for the purpose of making
the said judgement & costs, the said con-
stable, after various efforts to make the
said judgement as your orator is in-
formed, returned the same, to the clerks
office of said County, with the following
endorsement thereon "No property found
March 13th 1869. Wm. McPherson const-"
The said execution is ~~here~~ with filed, as per book marked "B"
This judgement, ~~was~~ by your orator color
and transferred, to the beneficiary in this
Cause. Your orator now states that
the said Daniel Robert, owns, a small
tract of land in the neighborhood
of Blackwater Salthwork, in this County,
and on the waters of Blackwater Creek
the rents and profits which will net
as your orator is informed, in five
years pay and discharge, your orators
judgement and costs. The object of
this bill therefore is, to have ~~an~~ ^{an} order

the land in the bill mentioned parcel
as will pay and discharge your orators
judgment & costs. But if the rents and
profits will pay and discharge the same
then that the land in the bill mentioned
rents, and the proceeds or so much
thereof as may be necessary be applied
to the discharge of the said judgment.

The premises considered your orators
prayer therefore is that the said Daniel
Roberts be made a party defendant
to this bill and answer its allegations
on oath, as specifically as if put by way
of special interrogatives. — That upon a
hearing of said cause a decree, be ren-
dered, subjecting, the rents and profits
of the said land to the payment of the
aforesaid judgment, but if the rents and
profits of said land as alleged will
not pay the same in five years
then that the same, or so much thereof
as may be necessary be sold, as
will pay and discharge your orators
claim and costs, of suit — But
for all such other just and General
relief, may summons issue &c —

Lagan & Pridmore
for complainant

HP

John Roberts for &c

vs { Bill in Chg

Daniel Roberts

Exhibits B. filed.

1869. Oct. Bill filed & Decree nisi
Nov. Decree nisi confirmed
& cause ~~at law~~
dismissed by Ref

Clerk 2.01

Shff 50

Tax 50

\$ 3.01

The above costs paid
me by W. W. Lacey
Oct 19 - 1869

The Commonwealth of Virginia,

TO THE SHERIFF OF LEE COUNTY — GREETING
WE COMMAND YOU TO SUMMON *Daniel Roberts*

to appear before the Justices of our County Court for Lee county, at the Court House, in the Clerk's Office, at Rules to be holden for the said court, on the *first* Monday in *October* next, to answer a bill in chancery, exhibited in our said court, against *him* by *John Roberts*, who sues for the benefit *William W. Leacy*

And have then there this writ. Witness, JOHN B. WEST, Deputy for SYLVESTER E. THOMPSON, Clerk of our said Court, at the Court House, this, *15th* day of *September* 186*9*, in the *94th* year of the Commonwealth.

Test — John B. West, D. Clerk.

John Roberts, for
vs { spa in chy
Dant. Roberts.

October Rules 1869.

Executed
William W. Sage
1866